

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARIETTA BRISCOE, on behalf of herself and others similarly situated,

Plaintiff,

v.

DEUTSCHE BANK NATIONAL TRUST COMPANY; DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR NEW CENTURY NCNET 2005-C, N.A.,

Defendants.

Case No. 08 C 1279

Judge James B. Zagel

Mag. Judge Michael T. Mason

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that on August 14, 2008 at 10:15 a.m., or as soon thereafter as the matter may be heard, before the Honorable Judge James B. Zagel, Courtroom 2503 of the above-entitled Court, or another judge sitting in his stead in the courtroom usually occupied by him, located in the Everett McKinley Dirkson Building, 219 South Dearborn Street, Chicago, Illinois 60604, the Court will hear Defendants Deutsche Bank National Trust Company's and Deutsche Bank National Trust Company, As Trustee For New Century NCNET 2005-C, N.A.'s Motion to Dismiss Plaintiff's First Amended Complaint, a copy of which is attached hereto.

Dated: August 7, 2008

Respectfully submitted,

**DEUTSCHE BANK NATIONAL TRUST
COMPANY and DEUTSCHE BANK
NATIONAL TRUST COMPANY, as trustee**

By: /s/ Kevin B. Dreher

One of Their Attorneys

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Counsel for Deutsche Bank National
Trust Company and Deutsche Bank National
Trust Company, as trustee

CERTIFICATE OF SERVICE

I, Kevin B. Dreher, hereby certify that on August 7, 2008, I electronically filed Defendants Deutsche Bank National Trust Company's and Deutsche Bank National Trust Company, As Trustee For New Century NCNET 2005-C, N.A.'s Motion to Dismiss Plaintiff's First Amended Complaint with the Clerk of the Court using the Court's Electronic Case Filing System in compliance with the General Order on electronic Case Filing, Section III(B)(1). As such, these documents were served on all counsel who are deemed to have consented to electronic service. Fed. R. Civ. P. 5(b)(2)(E) and Local Rule 5.9.

/s/ Kevin B. Dreher

Counsel for Defendants Deutsche
Bank National Trust Company and Deutsche
Bank National Trust Company, as trustee

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